

5/1/78 EASEMENT VACATION  
Lot 4, Block 1, Kenney Addition

CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

NOTICE OF COMPLETION OF PROCEEDINGS  
ON VACATION OF EASEMENT FOR UTILITY PURPOSES  
IN THE CITY OF EDINA, COUNTY OF HENNEPIN, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on May 1, 1978, adopted a Resolution Vacating Easement after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for utility purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

That part of the East 10 feet of the West 30 feet of Lot 4, Block 1, Kenney Addition, lying South of the North 5 feet and North of the Southeasterly 5 feet of said Lot 4.

The time of completion of proceedings and the effective date of said vacation is May 1, 1978.

Dated May 1, 1978

BY ORDER OF THE CITY COUNCIL  
CITY OF EDINA

Florence B. Hallberg  
Florence B. Hallberg  
Edina City Clerk

4390230

11/11/11

4390230

4390230

CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

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Dated May 1, 1978

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CITY OF EDINA

Florence B. Hallberg  
Florence B. Hallberg  
Edina City Clerk



44  
4390230

JUN 29 78 - 230 \$ 003.00 <sup>00</sup> B

OFFICE OF COUNTY RECORDER  
HENNEPIN COUNTY, MINNEAPOLIS  
CERTIFIED FILED AND OR  
RECORDED ON

1978 JUN 29 PM 1:49

AS DOCUMENT # 4390230

*[Signature]*  
CO. RECORDER  
BY *[Signature]* DEPUTY

Box 348

11/2/78

CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

NOTICE OF COMPLETION OF PROCEEDINGS  
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BY ORDER OF THE CITY COUNCIL  
CITY OF EDINA

---

Florence B. Hallberg  
Edina City Clerk

Send to H.S.P

NW Bell

Minneapolis

6/23/78

June 23, 1978

Mr. Thomas S. Erickson  
2400 First National Bank Bldg.  
Minneapolis, MN 55402

Dear Tom:

Enclosed herewith are three certified copies of Notice of Completion of Proceedings for vacation of the easement on Lot 4, Block 1, Lenney Addition.

Will you please see that this document is filed?

Yours very truly,

City Clerk

enclosures (3)

CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

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BY ORDER OF THE CITY COUNCIL  
CITY OF EDINA

Florence B. Hallberg  
Florence B. Hallberg  
Edina City Clerk

1/1/74

STATE OF MINNESOTA )  
COUNTY OF HENNEPIN ) SS.  
CITY OF EDINA )

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date April 14, 1978, 1978, acting on behalf of said City I deposited in the United States mail copies of the attached

Notice of Public Hearing - Easement Vacation - Lot 4, Block 1, Kenney Addn.  
(Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date 14 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and the seal of said City this 14th  
day of April, 19 78.

Theresa B. Haggerty  
Edina City Clerk

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENT FOR UTILITY PURPOSES  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

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Block 1, Kenney Addition, lying South of the North 5 feet  
and North of the Southeasterly 5 feet of said Lot 4

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE CITY COUNCIL.

Florence B. Hallberg  
City Clerk

April 14, 1978

Mailing List - Notice of Public Hearing  
Easement Vacation - 5/1/78  
L4, Bl 1, Kenney Addn

Kenney Addition  
Bl 1, L4

John D Somrock - 6612 Kenney Pl

William Schremm

Mpls. Gas Co.

739 Marquette Ave. 55402

W. a. Parlane

N-W. Bell Telephone Co.

5-532 Co. Rd 18 Do. Hopkins 55343

Ray Steffens, Normandale Division  
Northern States Power Co.

5309 W. 70th St. 55435

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENT FOR UTILITY PURPOSES  
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HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE CITY COUNCIL.

Florence B. Hallberg  
City Clerk

(Official Publication)

CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

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BY ORDER OF THE CITY COUNCIL.

Florence B. Hallberg  
City Clerk

Please publish in the Edina Sun on April 12, 1978.  
Please send us two Affidavits of Publication.

901  
UTILITY EASEMENT LYING  
FROM 20 FEET TO 30 FEET  
EAST OF THE WESTERLY  
LINE OF LOT 4 BLOCK 1  
KENNEY ADDITION

5/1 ?

## CITY OF EDINA

## PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated MAR. 27, 1978

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:

☐

Street

☐

Alley

☒

Utility Easement

☐

Drainage Easement

☐

Other

(describe)

Description of area proposed to be vacated:

UTILITY EASEMENT INDICATED IN YELLOW  
ON THE ATTACHED DRAWING FOR  
LOT 4, BLOCK 1, KENNEY ADDITION

Attach copy of scaled drawing showing in full detail the proposed vacation.

Signature

Address

Telephone

John D. Somerville  
6612 KENNEY PLACE  
BUS. 372-5066  
HOME: 941-2291

- 2) Review

CITY ENGINEER by

☐

Acceptable

☐

Opposed

☐

Conditional

Conditions

MINNEGASCO by

☐

Acceptable

☐

Opposed

☐

Conditional

Conditions

N.W. BELL by

☐

Acceptable

☐

Opposed

☐

Conditional

Conditions

N.S.P. by

☐

Acceptable

☐

Opposed

☐

Conditional

Conditions

NOTE:

I HAVE CONTACTED THE FOLLOWING PERSONS:

WILLIAM SCHRAM - MINNEGASCO

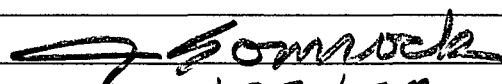
RAY STEFFENS - N. S. P.

BOB OBERMEYER - CITY OF EDINA

GIL GILBERTSON - N. W. B.

EACH OF THE PERSONS HAS INDICATED THAT THERE WILL BE NO PROBLEM IN APPROVING THE VACATION AS ALL UTILITIES ARE IN AND NONE HAS PLANS FOR THE EASEMENT. THEY WILL BE, OF COURSE, WAITING FOR YOUR OFFICIAL REQUEST FOR THEIR APPROVALS.

ON THE BASIS OF THEIR VERBAL "OKS" I HAVE PETITIONED FOR A VARIANCE FROM THE PLANNING COMMISSION TO ALLOW THE PROPOSED BUILDING ADDITION AS SHOWN ON THE ATTACHED DRAWING

  
3/27/78



901  
UTILITY EASEMENT LYING  
FROM 20<sup>FEET</sup> TO 30 FEET  
EAST OF THE WESTERLY  
LINE OF LOT 4 BLOCK 1  
KENNEY ADDITION

Answer - OK to set Htg Date  
for 5/1 ?  
JL

That part of the east 10 feet of the west  
30 feet of Lot 4, Block 1, Kenney Addition  
lying south of the north 5 feet and north  
of the southeasterly 5 feet of said  
Lot 4.

By ~~OK~~  
CK ~~9/2~~

## CITY OF EDINA

## PUBLIC RIGHT-OF-WAY VACATION APPLICATION

Date Initiated MAR. 27, 1978

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:

☐ Street ☐ Alley ☒ Utility Easement  
☐ Drainage Easement ☐ Other \_\_\_\_\_  
(describe)

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Attach copy of scaled drawing showing in full detail the proposed vacation.

Signature John D. Somack  
Address 6612 KENNEY PLACE  
Telephone BUS. 372-5066  
HOME: 941-2291

## 2) Review

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional  
Conditions \_\_\_\_\_

MINNEGASCO by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional  
Conditions \_\_\_\_\_

N.W. BELL by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional  
Conditions \_\_\_\_\_

N.S.P. by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional  
Conditions \_\_\_\_\_

NOTE:

I HAVE CONTACTED THE FOLLOWING PERSONS:

WILLIAM SCHRAM - MINNEGASCO

RAY STEFFENS - N.S.D.

BOB OBERMEYER - CITY OF EDINA

GIL GILBERTSON - N.W.B.

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→ Somrock  
3/27/78

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

MINNEGASCO by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

NORTHWESTERN BELL by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

N.S.P. by R. Berwick ☒ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS \_\_\_\_\_

LOCATION Lot 4, Block 1, Kenney Addition (See Notice of Public Hearing for legal description)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

STATE OF MINNESOTA )  
COUNTY OF HENNEPIN ) SS  
CITY OF EDINA )

AFFIDAVIT OF POSTING NOTICE OF HEARING ON  
VACATION OF EASEMENT(S) FOR PURPOSES OF  
UTILITY EASEMENT

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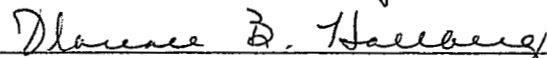
The undersigned, being first duly sworn, upon oath deposes and says that he is the qualified and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on April 14, 19 78, he posted the notice of hearing on vacation of easement(s) to be held on May 1, 19 78, a true and correct copy of which is hereto attached, at each of the following public and conspicuous places within the City in a manner likely to attract attention:  
1. City Hall, 4801 W. 50th Street    2. 50th & France Business Area, 3922 W. 50th Street    3. Amundson Avenue Shopping Center.

Said easement(s) being described as follows:

That part of the East 10 feet of the West 30 feet of Lot 4,  
Block 1, Kenney Addition, lying South of the North 5 feet  
and North of the Southeasterly 5 feet of said Lot 4

  
\_\_\_\_\_  
Police Patrolman

Subscribed and sworn to before me,  
this 14 day of April, 19 78.

  
\_\_\_\_\_  
Notary Public, Hennepin County, Minnesota  
My commission expires:

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENT FOR UTILITY PURPOSES  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

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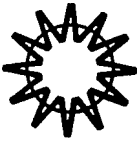
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BY ORDER OF THE CITY COUNCIL.

Florence B. Hallberg  
City Clerk





SUN NEWSPAPERS  
AFFIDAVIT OF PUBLICATION  
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }  
County of Hennepin } ss.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

Notice of Public Hearing

He further states on oath that the printed Vacation of Easement - Utility Purposes hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for one successive weeks;

that it was first so published on Wed the 12 day of April, 19 78

and was thereafter printed and published on every \_\_\_\_\_ to and including

\_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

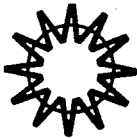
abcdefghijklmnopqrstuvwxyz

*[Signature]*

Subscribed and sworn to before me this 12 day of April, 19 78

*[Signature]*  
PHYLLIS S. BARTON  
NOTARY PUBLIC - MINNESOTA  
HENNEPIN COUNTY  
My Commission Expires Aug. 18, 1984

(Official Publication)  
CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424  
NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENT  
FOR UTILITY PURPOSES  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA  
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which such proposed easement vaca-  
tion affects existing easements within  
the area of the proposed vacation and  
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any or all of any such easements, and  
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enter upon the area of the proposed  
vacation, shall continue.  
BY ORDER OF THE CITY COUN-  
CIL.  
FLORENCE B. HALLBERG,  
City Clerk  
(April 12, 1978)—ED



# SUN NEWSPAPERS

## AFFIDAVIT OF PUBLICATION

# EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota

County of Hennepin

ss.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

### Notice of Public Hearing

### Vacation of Easement - Utility Purposes

He further states on oath that the printed hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for one successive weeks;

that it was first so published on Wed the 12 day of April, 1978

and was thereafter printed and published on every \_\_\_\_\_ to and including

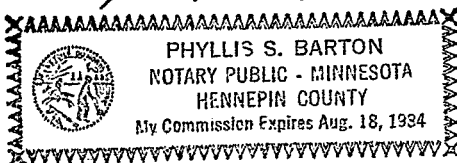
the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

*[Signature]*

Subscribed and sworn to before me this 12 day of April, 1978

*[Signature]*



(Official Publication)  
CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424  
NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENT  
FOR UTILITY PURPOSES  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA  
That part of the East 10 feet of the West 30 feet of Lot 4, Block 1, Kenney Addition, lying South of the North 5 feet and North of the Southeasterly 5 feet of said Lot 4  
NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on May 1, 1978, at 7:00 o'clock p.m. for the purpose of holding a public hearing on the proposed vacation of the following easement for utility purposes:  
That part of the East 10 feet of the West 30 feet of Lot 4, Block 1, Kenney Addition, lying South of the North 5 feet and North of the Southeasterly 5 feet of said Lot 4  
All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.  
BY ORDER OF THE CITY COUNCIL.  
FLORENCE B. HALLBERG,  
City Clerk  
(April 12, 1978)—ED



April 17, 1978

Florence B. Hallberg  
City Clerk  
4801 West 50th Street  
Edina, Minnesota 55424

Dear Florence:

The Minnesota Gas Company has no facilities within that platted utility easement described as follows:

That part of the East 10 feet of the West 30 feet of  
Lot 4, Block 1, Kenney Addition, lying South of the  
North 5 feet and North of the Southeasterly 5 feet of  
said Lot 4.

We therefore have no objection to the vacation thereof.

Sincerely,

William R. Schram  
Real Estate Section

WRS/lr

cc: J. H. Anderson  
John Somrock

II-A

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENT FOR UTILITY PURPOSES  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE CITY COUNCIL.

Florence B. Hallberg  
City Clerk

April 14, 1978

April 24, 1978

The Northwestern Bell Telephone Company has no objection to vacation of the above described utility easement.

Thank You

*D. E. Gilbertson*

D. E. Gilbertson  
Right of Way Agent

NOTICE OF PUBLIC HEARING  
ON VACATION OF EASEMENT FOR UTILITY PURPOSES  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE CITY COUNCIL.

Florence B. Hallberg  
City Clerk

April 14, 1978

April 24, 1978

The Northwestern Bell Telephone Company has no objection to vacation of the above described utility easement.

Thank You

*D. E. Gilbertson*

D. E. Gilbertson  
Right of Way Agent